

INTERVENTION



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ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

KRISTIN K. MAYES, Chairman
GARY PIERCE
PAUL NEWMAN
SANDRA D. KENNEDY
BOB STUMP

Arizona Corporation Commission
DOCKETED

JUN - 8 2009

DOCKETED BY	
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IN THE MATTER OF THE
APPLICATION OF BLACK
MOUNTAIN SEWER
CORPORATION, AN ARIZONA
CORPORATION, FOR A
DETERMINATION OF THE FAIR
VALUE OF ITS UTILITY PLANT
AND PROPERTY AND FOR
INCREASES IN ITS RATES AND
CHARGES FOR UTILITY SERVICE
BASED THEREON.

No. SW-02361A-08-0609

**APPLICATION TO INTERVENE OF
THE TOWN OF CAREFREE**

(HEARING: 09/21/09 AT 9:30 A.M.)

I.

The Town of Carefree (the "Town") hereby applies to the Arizona Corporation Commission (the "Commission") for an order granting it leave to intervene in the above-captioned proceeding.

II.

The Town is a customer of Black Mountain Sewer Company and will be directly and substantially affected by a decision or order of the Commission in this matter and, therefore, it is necessary and proper that the Town intervene in this proceeding.

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2 III.

3 The Town also has a direct and substantial interest in ensuring that its residents
4 are provided quality utility services for a competitive price and, therefore, it is necessary
5 and proper that the Town intervene in this proceeding.

6 IV.

7 In order to protect its interests as well as those of the residents of the Town, the
8 Town must thoroughly examine the materials presented by the Company, and must
9 cross-examine the witnesses appearing on behalf of the Company and any other parties.
10 Additionally, the Town may present testimony and exhibits of its own in any hearings
11 conducted by the Commission in this matter.

12 V.

13 The name, mailing addresses and telephone number of the person upon whom
14 service of all documents is to made is: Thomas K. Chenal, Sherman & Howard, LLC,
15 7047 East Greenway Parkway, Suite 155, Scottsdale, Arizona 85254.

16
17 **RESPECTFULLY SUBMITTED** June 3, 2009.

18 SHERMAN & HOWARD L.L.C.

19
20 

21 By

22 Thomas K. Chenal
23 David W. Garbarino
24 7047 East Greenway Parkway, Suite 155
25 Scottsdale, AZ 85254-8110
26 Attorneys for Town of Carefree

27 **ORIGINAL AND 13 COPIES** of
28 the foregoing filed June 8, 2009, with:

26 ARIZONA CORPORATION COMMISSION
27 Docket Control
28 1200 W. Washington St.
Phoenix, AZ 85007

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1 ///

2 **COPY** of the foregoing mailed this
3 same date to:

4 Dwight D. Nodes
5 Asst. Chief Administrative Law Judge
6 Hearing Division
7 Arizona Corporation Commission
8 1200 W. Washington St.
9 Phoenix, AZ 85007

10 Janice Alward
11 Chief Counsel, Legal Division
12 Arizona Corporation Commission
13 1200 W. Washington St.
14 Phoenix, AZ 85007


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16 Director, Utilities Division
17 Arizona Corporation Commission
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27 
28 Marla McGhee